

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 3248	DATE	10/5/2001
CASE TITLE	USA vs. Michael Black		

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

DOCKET ENTRY.

- (1) Filed motion of [use listing in "Motion" box above.]

(2) Brief in support of motion due _____.

(3) Answer brief to motion due _____. Reply to answer brief due _____.

(4) Ruling/Hearing on _____ set for _____ at _____.

(5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(7) Trial[set for/re-set for] on _____ at _____.

(8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.

(9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) General Rule 21 FRCP41(a)(1) FRCP41(a)(2).

(10) [Other docket entry] Enter Memorandum Order. Black's motion to proceed on appeal in forma pauperis is denied. (38-1)

(11) [For further detail see order attached to the original minute order.]

No notices required, advised in open court.		 ED-1 FACUD FOR DOCKETING	number of notices	Document Number
No notices required.				
Notices mailed by judge's staff.			OCT 09 2001	
Notified counsel by telephone.			date docketed	
Docketing to mail notices.			CM	docketing deputy initials
Mail AO 450 form.			10/5/2001	
Copy to judge/magistrate judge.			date mailed notice	
SN	courtroom deputy's initials	SN		
		Date/time received in central Clerk's Office	mailing deputy initials	

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED

OCT 09 2001

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
v.)
 No. [REDACTED]
MICHAEL BLACK,) (No. 00 C 3248)
)
 Defendant.)

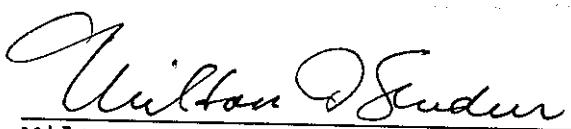
MEMORANDUM ORDER

On August 17, 2001 this Court issued its Statement as to Certificate of Appealability, explaining the basis for its determination that no certificate of appealability should issue in connection with the notice of appeal by pro se litigant Michael Black ("Black") from this Court's earlier rejection of his self-prepared 28 U.S.C. §2255¹ motion. That Statement was accompanied by photocopies of this Court's earlier memorandum orders that addressed both the substantive and procedural issues relevant to the Section 2255 motion.

Now the Court of Appeals has transmitted to this District Court Black's Motion To Proceed on Appeal In Forma Pauperis that Black had mistakenly sent to the Court of Appeals for filing. Because of this Court's earlier-stated view rejecting the certificate of appealability, it denies Black's motion. As a purely informational matter, however, this Court (utilizing the

¹ All further references to Title 28's provisions will simply take the form "Section--."

printout of Black's institutional trust fund account that accompanied his current motion) has calculated the initial payment on account of appellate fees that would have been called for under Section 1915 if in forma pauperis status were to be granted--based on the average monthly deposits of \$115.75 to his account for the period covered by that printout, the 20% initial payment would come to \$23.15.



Milton I. Shadur
Milton I. Shadur
Senior United States District Judge

Date: October 5, 2001